

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THOMAS B. GAINES, a deceased minor child by and through his personal representative(s) and/or successor(s) in interest; DIANA L. GAINES, individually, as Executor of the Estate of Thomas B. Gaines, and as Thomas B. Gaines' personal representative and successor in interest; GARY D. GAINES, individually and as Thomas B. Gaines' personal representative and successor in interest; and THE ESTATE OF THOMAS B. GAINES,

Plaintiffs,

v.

JOHNSON & JOHNSON, a New Jersey corporation; MCNEIL CONSUMER & SPECIALTY PHARMACEUTICALS, a Division of MCNEIL-PPC, INC., a New Jersey corporation; MCKESSON CORPORATION, a Delaware corporation; WAL-MART STORES, INC., a Delaware corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No. CV 07-05503 PJH

**ADR CERTIFICATION BY PARTIES  
AND COUNSEL**

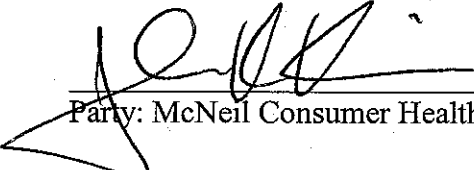
Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5(b), each of the undersigned certifies that he or she has:

(1) Read the handbook entitled "*Dispute Resolution Procedures in the Northern District of California*" on the Court's ADR Internet site [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov) (*Limited printed copies are available from the clerk's office for parties in cases not subject to the court's Electronic Case Filing program (ECF) under General Order 45*);

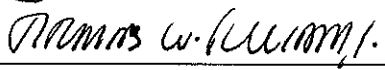
(2) Discussed the available dispute resolution options provided by the Court and private entities; and

(3) Considered whether this case might benefit from any of the available dispute resolution options.

Dated: 1/10/08

  
Party: McNeil Consumer Healthcare (John Kim)

Dates: 1-14-08

  
Counsel: Thomas W. Pulliam, Jr.

**CERTIFICATE OF SERVICE**

I, GLORIA CADENA, declare that:

I am at least 18 years of age, and not a party to the above-entitled action. My business address is 50 Fremont Street, 20th Floor, San Francisco, California 94105, Telephone: (415) 591-7500.

On January 14, 2008 I caused to be served the following document(s):

**ADR CERTIFICATION BY PARTIES AND COUNSEL (Party:  
McNeil Consumer Healthcare, Counsel: Thomas W. Pulliam, Jr.)**

by enclosing a true copy of (each of) said document(s) in (an) envelope(s), addressed as follows:

- ☐ BY MAIL: I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. I know that the correspondence is deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope was sealed, and with postage thereon fully prepaid, placed for collection and mailing on this date, following ordinary business practices, in the United States mail at San Francisco, California.
- ☐ BY PERSONAL SERVICE: I caused such envelopes to be delivered by a messenger service by hand to the address(es) listed below:
- ☐ BY OVERNIGHT DELIVERY: I enclosed a true copy of said document(s) in a Federal Express envelope, addressed as follows:
- ☐ BY FACSIMILE: I caused such documents to be transmitted by facsimile transmission and mail as indicated above.
- ☒ **E-mail:** Electronic copy sent via E-mail to:  
Michael J. Avenatti: [mavenatti@gbpwlaw.com](mailto:mavenatti@gbpwlaw.com)  
Brian D. Witzer: [witzer@witzerlaw.com](mailto:witzer@witzerlaw.com)

Michael J. Avenatti, Esq.  
GREENE BROILLET & WHEELER  
100 Wilshire Blvd., Suite 2100  
Santa Monica, CA 90401  
Telephone: (310) 576-1200  
Facsimile: (310) 576-1220  
E-mail: [mavenatti@gbpwlaw.com](mailto:mavenatti@gbpwlaw.com)  
***Counsel for Plaintiffs***

Brian D. Witzer, Esq.  
Daniel Balaban, Esq.  
LAW OFFICES OF BRIAN D. WITZER,  
INC.  
Witzer Law Building  
8752 Holloway Drive  
West Hollywood, CA 90069  
Telephone: (310) 777-5999  
Facsimile: (310) 777-5988  
e-mail: [witzer@witzerlaw.com](mailto:witzer@witzerlaw.com)  
**Attorneys for Plaintiffs: Sabrina  
Brierton Johnson, Kenneth  
Johnson and Joan Brierton-  
Johnson**

1 I declare under penalty of perjury under the laws of the United States that the  
2 above is true and correct.

3 Executed on January 14, 2008 at San Francisco, California.

4 /s/ Gloria Cadena  
5 GLORIA CADENA  
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